

# **EXHIBIT**

# **"11"**

## Franklin County Jail

## Inmate Grievance Form

For Official Use Only

12-00990

Grievance Number

Rec'd: 10/8/12

Inmate Name:

David F. Kelly Bey

Date:

9-29-12

Signature:

David F. Kelly Bey

Housing Location (Unit &amp; Cell):

D-14-B

## Grievance Issues: (Check all that Apply)

- ☒ Alleged violation of civil or constitutional rights  
☒ Alleged violation of jail policy  
☐ Alleged criminal or prohibited act by a staff member  
☐ Alleged condition existing within the facility that creates unsafe or unsanitary conditions  
☐ Dispute about the assessment of a specific fee or service charge

## Instructions:

1. No grievance shall be considered that deals with the amount of your bond, matters concerning your court case, probation and parole decisions, disciplinary hearings and classification hearings. No grievance will be entertained from a group or representative of any group. All grievances will be on an individual basis.
2. Grievances must be filed within five (5) days after a potential grievable event has occurred.
3. State grievance completely and thoroughly. Grievance Form will be returned to you if it is not completed properly.
4. Grievances containing obscene language, threats or vulgar remarks will not be accepted. Inmates may be subject to disciplinary action for remarks made within the grievance and no immunity will be afforded to any inmate from civil or criminal liability for any of their acts or statements.

**Statement of Grievance:** Additional paper may be used, maximum of two pages. (One Inmate Grievance Form and one one-sided 8½ X11" page)

*This Grievance of a Sensitive Nature Challenges the Franklin County Jail Refusal to provide muslim inmates Desire to observe a Hala diet that conformed to the teachings of the Religious of the Quran and Prophet Muhammad teachings of Islam under the Religious exercise within the meaning of the Religious land Use and Institutionalized Persons Act 2000, 42 U.S.C.S. § 2000cc-1 et seq. Furthermore, the Refusal to provide a daily Hala menu to muslim inmates substantially burdened their exercise of our Religious beliefs by creating pressure on inmate muslims to consume meals that did not conform with our understanding of the requirements of Islamic laws. Therefore, Pursuant to Hudson v. Dennehy, 538 F.Supp.2d 400 (2000) inmate muslims must be provide with A Hala Diet and A Hala menu Daily. However, the failure to do so is an Abridgment of our Rights under the Free Exercise Clause of the First and Fourteenth Amendments As well as the Pennsylvania Const. Grievant, Alleges that the Franklin County Jail Policy of Accommodating the Dietary Requirements of the Jewish, Seventh Day Adventist, Buddhist and other observant prisoners to deny any similar accommodation to muslim inmates Violated the Equal Protection Clause.*

List actions taken and staff you have contacted, before submitting this grievance.

*This Matter has been brought to Deputy Warden Michelle Weller's Attention to whom such Reliability if not corrected will Result in Civil Action for Violation of our Constitutional Rights and Civil Liberties under the Free Exercise Clause Pursuant to 18 U.S.C.S 241, 242 and 245 while Acting under the Color of Law in the Violation of our Rights under 42 U.S.C.S. § 2000cc-1 et seq.*

## Franklin County Jail

## Inmate Grievance Form

## Step 1- Correctional Treatment Specialist Response:

Grievance unclear as to how religious meal needs/denants are not being met.

Signature [Signature] Date 10/22/12 (Must respond within 10 business days)

☒ Decision Appealed by Inmate 10-23-12 (Date)

RDC 10/25/12 MMV

## Step 2 - Deputy Wardens Responses (or Designees):

Diet reviewed. Menu does not conflict w/ essential crests of your religion.

Signature [Signature] Date 11/14/12 (Must respond within 10 business days)

Signature \_\_\_\_\_ Date \_\_\_\_\_

☐ Decision Appealed by Inmate \_\_\_\_\_ (Date)

## Step 3- Warden and County Administrator/Chief Clerk Responses (or Designees):

☐ Denied ☐ Granted ☐ Deferred for a Formal Hearing ☐ Damages Awarded \* Amount \$ \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ (Must respond within 10 business days)

Signature \_\_\_\_\_ Date \_\_\_\_\_